

REMARKS

The final Office Action dated April 6, 2004 has been received and its contents carefully studied. Reconsideration of the rejections of the claims is respectfully requested in view of the foregoing amendments and the following remarks. Claims 1 and 3-11 are pending. Claims 1, 3-7, and 9-11 are allowed, but claim 8 is not allowed.

Claim 8 has been rejected as obvious under 35 U.S.C. § 103(a) from *Takahashi* (U.S. Patent No. 6,205,148) in view of *Ohanian* (U.S. Patent No. 6,122,287). Claim 8 is now amended in order to more clearly overcome this rejection.

Applicant respectfully emphasizes that *Takahashi* does not disclose selecting a signalling unit for a connection, after the protocol capabilities of the terminal have been found out. This is an important difference from *Takahashi*, but this difference was perhaps not presented in pending claim 8 as well as it could have been. Consequently, claim 8 is now amended. This added material in claim 8 is supported at least by the first full paragraph on page 4 of the application as originally filed, and makes very clear that there is a choice from more than one signalling unit according to the present claimed invention.

Takahashi does disclose three basic methods (1, 2, and 3), but two of them assume that a connection has already been previously established. See column 5, lines 30-35. *Takahashi*'s methods 2 and 3 thus clearly have nothing to do with "signalling," and instead refer to the transmission of data. See *Newton's Telecom Dictionary* (16th Expanded Edition, c. 2000), which defines "signalling" as a mechanism to "set up and tear down" calls.

The first sentence of the present application states that the invention is related to establishing a signalling connection. This is very different from *Takahashi*, which presumes (at least for method 2 and method 3) that a signalling connection has already been established. See column 5, lines 30-35.

This distinction between signalling on the one hand, and protocols for data transmission on the other hand, is critical. Present claim 8 refers to signalling, and more

importantly claim 8 refers to selecting from more than one signalling unit. *Takahashi* does not teach or suggest more than one signalling unit. *Takahashi*'s method 2 and method 3 clearly have nothing at all to do with signalling.

According to the established practice in this technical field, signalling means exchanging some kind of control information between the communicating devices to set up and tear down calls. Thus, signalling is distinct from the type of data transfer protocols that are essential in *Takahashi*, which are protocols for transferring a particular packet in a communication system, rather than for signalling.

Applicant previously pointed out this difference between signalling and data transmission, at the last paragraph on page 7 of the paper filed January 27, 2004. However, the response to arguments in the final Office Action did not address this issue.

The present amendment of claim 8 emphasizes the concept of making a central unit select a signalling unit after it has received from a terminal some indication about the terminal's capability of supporting certain signalling protocol(s). This selection of signalling protocols is completely missing from the *Takahashi* reference. This difference from *Takahashi* is related to the fact that *Takahashi* mainly discusses only the transmission of data, which is not the same as signalling. Since *Takahashi* mainly addresses data transmission, it is understandable that *Takahashi* also never touches upon the subject of whether there should occur some selection of signalling units and, if so, at which stage of the procedure that selection should happen.

Conclusion

Applicants respectfully submit that the amended claims of the present application define patentable subject matter and are patentably distinguishable over the cited references for the reasons explained. The rejections of the Office Action of April 6, 2004 having been shown to be inapplicable, retraction thereof is requested, and early passage of all the pending claims to issue is earnestly solicited.

Applicant would appreciate if the Examiner would please contact Applicant's attorney by telephone, if that might help to speedily dispose of any unresolved issues pertaining to the present application.

Respectfully submitted,

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